REMARKS

The Office Action of September 22, 2004, has been reviewed, and in view of the

following remarks, reconsideration and allowance of all of the claims pending in the application

are respectfully requested. Although Applicants do not agree with the Examiner's contentions,

independent claims 1, 8 and 15 have been amended in an effort to expedite prosecution of the

present application. No new matter has been added.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-5, 7-12, 14-18 and 20 currently stand rejected under 35 U.S.C. § 102(e) as

being allegedly anticipated by U.S. Patent No. 6,654,891 to Borsato *et al* ("Borsato"). The

Office Action alleges that each and every claimed limitation is shown by Borsato. Applicants

respectfully disagree.

Borsato purports to disclose trusted network binding using LDAP (Lightweight Directory

Access Protocol). More specifically, Borsato appears to discuss a method and apparatus for

managing IP addressing in a network and synchronizing communication between a central

database and one or more servers (col. 2, lines 63-66). Borsato purports to allow a user to be

authenticated and bind the user to the IP address that was given to it by the DHCP server on the

network (col. 9, lines 56-58).

Embodiments of the claimed inventions are directed to integrating security and user

account data with remote repositories and validating the identity of the user through

authentication. In addition, access control may be implemented to determine what the user may

be allowed to see, do or access, once the user has been identified to the system. Access control

may include privileges and permissions. Privileges may define the types of actions that

particular users and groups may perform in the system. Permissions may define which users and groups have access to what objects and the degree to which the user may access those objects. (specification page 27, lines 16-20).

For example, when a server command is requested, the server may check certain access rights to determine if a particular command may be executed. In general, the server may check access rights on a Server Definition object, for example, that may be used to initialize the server at startup. This allows the user to have different capabilities on different servers within the same system. (specification page 29, lines 3-8).

According to an embodiment of the claimed inventions, a method for integrating security and user account data comprises "enabling a user to submit user credential input to a reporting system;" "identifying an authentication process;" "forwarding the user credential input to a server;" and "enabling the server to apply the authentication process to authenticate the user against a remote repository for verifying the user credential input and *to determine user access control data for identifying at least one user privilege for performing one or more actions and at least one user permission associated with one or more objects.*"

The disclosure of Borsato fails to show at least the limitation directed to "enabling the server to apply the authentication process to authenticate the user against a remote repository for verifying the user credential input and *to determine user access control data for identifying at least one user privilege for performing one or more actions and at least one user permission associated with one or more objects.*" A similar limitation is recited in independent claims 8 and 15. The invention of Borsato appears to be directed to authenticating a user and binding the user to the IP address that was given to it by the DHCP server on the network (col. 9, lines 56-

60). However, the disclosure of Borsato fails to disclose or show at least the limitation directed

to "enabling the server to apply the authentication process to authenticate the user against a

remote repository for verifying the user credential input and *to determine user access control*

data for identifying at least one user privilege for performing one or more actions and at least

one user permission associated with one or more objects." These features are simply not

disclosed or even contemplated by Borsato.

For a proper rejection under 35 U.S.C. § 102(e), each and every claim limitation must be

shown in a single reference. The Office Action has failed to meet this requirement and thus the

rejection is unsupported and should be withdrawn.

REJECTIONS UNDER 35 U.S.C.§ 103(a)

Claims 6, 13, and 19 are presently rejected under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Borsato in view of U.S. Patent No. 6,453,353 to Win *et al* ("Win"). The

Office Action acknowledges that Borsato does not disclose all the limitations as recited in

claims. In particular, the Office Action admits that Borsato does not disclose wherein the user is

associated with a group of users wherein group information from the remote repository is

imported. The Office Action alleges that Win teaches these deficiencies and somehow concludes

that it would have been obvious to combine Borsato and Win "because it would have an efficient

communications system that can control flexible, extensible, additive data model stored in a

database that describes the user, roles of the user and function groups in the enterprise that are

associated with the user." Applicants respectfully disagree.

As discussed above, Borsato fails to disclose the combination of claim elements.

Similarly, Win fails to teach or make obvious the deficiencies of Borsato. Win purports to disclose a role-based navigation of information resources where user information is associated with roles and functional groups of an organization to which the user belongs. However, Win fails to provide any disclosure or any teaching directed to determining *user access control data for identifying at least one user privilege for performing one or more actions and at least one user permission associated with one or more objects*.

The Office Action has failed to set forth a *prima facie* case of obviousness for the claims. Specifically, when a primary reference is missing elements, the law of obviousness requires that the Office set forth some motivation why one of ordinary skill in the art would have been motivated to modify the primary reference in the exact manner proposed. *Ruiz v. A.B. Chance Co.*, 234 F.3d 654, 664 (Fed. Cir. 2000). In other words, there must be some recognition that the primary reference has a problem and that the proposed modification will solve that exact problem. All of this motivation must come from the teachings of the prior art to avoid impermissible hindsight looking back at the time of the invention.

In the present case, the Office Action's sole justification for modifying Borsato has absolutely nothing to do with the deficiencies of Borsato. As admitted by the Office Action, Borsato fails to show at least "*wherein the user is associated with a group of users wherein group information from the remote repository is imported.*" To properly modify Borsato to correct for these major deficiencies, the Office has the burden to show some motivation why providing those elements would have overcome some perceived problem with Borsato. Any such motivation is completely lacking. Therefore, this is a clear example of improper hindsight.

Accordingly, the Office has failed to provide any proper motivation for modifying

Borsato, so the proposed modification fails. Even if Borsato could be modified as suggested by the Office Action, the resulting combination would nevertheless fail to show each and every limitation claimed by Applicants.

The mere fact that Borsato can be modified does not render the resultant modification obvious unless there is a suggestion or motivation found somewhere in the prior art regarding the desirability of the combination or modification. *See* M.P.E.P § 2143.01; *see also In re Mills*, 16 U.S.P.Q.2d 1430, 1432 (Fed. Cir. 1990); *In re Fritz*, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). In addition, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in Applicants' disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

In *In re Hedges*, 783, F.2d 1038, 1041, 228 U.S.P.Q. 685, 687, (Fed. Cir. 1986), the U.S. Court of Appeals for the Federal Circuit stated that "the prior art as a whole must be considered. The teachings are to be viewed as they would have been viewed by one of ordinary skill." The court also stated that "'[i]t is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art'" (quoting *In re Wesslau*, 353 F.2d 238, 241, 147 U.S.P.Q. 391, 393 (CCPA, 1965)).

Therefore, the proposed combination of Borsato and Win fails to show, teach or make obvious the invention as claimed by Applicants. The Office Action has failed to provide proper motivation for modifying the Borsato reference. Even if the Borsato reference could be modified as suggested by the Office Action, the resulting combination would fail to disclose the

combination of claimed limitations. Therefore, the Office Action has failed to meet its burden.
The rejection of claims 1-20 should be withdrawn and the claims allowed accordingly.
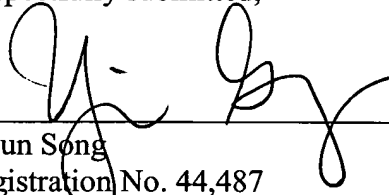
Dependent claims 2-7, 9-14 and 16-20 depend from either independent claims 1, 8 and
15, respectively. As such, each of these dependent claims contain each of the features recited in
the independent claims. For the reasons stated above, Borsato alone or in combination with Win
fail to disclose the claimed inventions and the rejections should be withdrawn.

CONCLUSION

It is respectfully submitted that this application and all pending claims are in condition for allowance and such disposition is earnestly solicited. If the Examiner believes that prosecution and allowance of the application will be expedited through an interview, whether personal or telephonic, the Examiner is invited to telephone the undersigned with any suggestions leading to the favorable disposition of the application.

The Director is hereby authorized to treat any current or future reply, requiring a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. Applicants also authorize the Director to credit and differences or overpayment of fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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